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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,925	12/16/2003	David A. Culp	11503	5829

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EXAMINER

COLLINS, TIMOTHY D

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/736,925	Applicant(s) CULP, DAVID A.	
	Examiner Timothy D. Collins	Art Unit 3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 19-30, 33 and 34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-18, 31 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

[Handwritten signature]

DETAILED ACTION

Requirement for Information Under 37 C.F.R. 1.105

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

It appears from an exhaustive internet search that there has been at least one prior use/sale of the item which the applicant now intends to Patent. It also appears that the applicant knows some information about this sale/use, with respect to a device which was in use on an America's Cup vessel in late 2002. The website www.kiteship.com, calls a device which appears to be the applicants invention an "OutLeader", and this appears to have been used at least 100 days prior to Feb. 15, 2003 (see rejection under 35 USC 102). Therefore the examiner must require any information that the applicant has regarding this device.

Also it appears from a news release on February 13, 2003, that the "OutLeader" kite is "Patent Pending", this appears to be referring to the present application or the previous provisional application filed by David Culp. Therefore this statement must be clarified as to what exactly is an "OutLeader" kite and details of the structure of such kite are required. Also note that the examiner has found that the OutLeader kite was used at least on the Oracle vessel according to the "Cnn.com American teams to battle it out" news article from December 19 2002.

Accordingly the above information is required under 37 CFR 1.105. A statement by the applicant that this information is unknown and/or not readily available, will be accepted as a complete response to this requirement.

In regard to the above requirement notice is taken of the January 3, 2005 decision of the United States Court of Appeals for the Federal Circuit in the case of Star Fruits S.N.C. v. United States.

Pertinent portions of the said decision are reproduced below.

Under 37 C.F.R. § 1.105 the Office can require information that does not directly support a rejection. An agency's interpretation of its own regulations is entitled to substantial deference and will be accepted unless it is plainly erroneous or inconsistent with the regulation. See *Eli Lilly & Co. v. Bd. of Regents of the Univ. of Wa.*, 334 F.3d 1264, 1266 (Fed. Cir. 2003). Here, the Office considered information concerning any sale or public distribution of the claimed invention and any information concerning Breeder's Rights applications or grants as within the authorized scope of a Requirement For Information under section 1.105.

This interpretation is not plainly erroneous or inconsistent with the regulation. Congress has delegated to the Office the rulemaking power to "establish regulations, not inconsistent with law, which—(A) shall govern the conduct of proceedings in the Office." 35 U.S.C. § 2(b)(2) (2000) (formerly at 35 U.S.C. § 6(a) (1988), see *Merck & Co. v. Kessler*, 80 F.3d 1543, 1549-50 (Fed. Cir. 1996)); *Stevens v. Tamai*, 366 F.3d 1325, 1333 (Fed. Cir. 2004). Section 1.105 stems from an initiative entitled Changes to Implement the Patent Business Goals. Through notice and comment rulemaking the Office made explicit the inherent authority of Office employees to require information from an applicant. The goal is to "encourage" employees to use that power to "perform the best quality examination possible." 65 Fed. Reg. 54,604, at 54,633 (September 8, 2000) (to be codified at 37 C.F.R. pts. 1, 3, 5, 10); see also 64 Fed. Reg. 53,772 (proposed October 4, 1999); 63 Fed. Reg. 53,498 (proposed October 5, 1998). The final rule permits that "the examiner or other Office employee may require the submission . . . of such information as may be reasonably necessary to properly examine or treat the matter." 37 C.F.R. 1.105(a)(1) (emphasis added).

We think it clear that "such information as may be reasonably necessary to properly examine or treat the matter," 37 C.F.R. 1.105(a)(1), contemplates information relevant to examination either procedurally or substantively. It includes a zone of information beyond that defined by section 1.56 as material to patentability, and beyond that which is directly useful to support a rejection or conclusively decide the issue of

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patentability. Several observations militate in favor of this conclusion.

First, under the current regulations an applicant has an affirmative duty to disclose information material to patentability. See 37 C.F.R. § 1.56. Because an applicant already has a duty to disclose this information, it makes no sense for the Office to promulgate a rule empowering it to "require the submission" of information the applicant is required to submit in the first instance.

Second, section 1.105 identifies the required information as that information "reasonably necessary to properly examine or treat the matter" instead of that information "material to patentability." Under ordinary principles of interpretation, the choice of different language indicates a different intended meaning.

Third, the plain language of the regulation contemplates requirements for information that go beyond information required by section 1.56. For example, "any non-patent literature . . . by any of the inventors, that relates to the claimed invention[.]" 37 C.F.R. § 1.105(a)(1)(iii) (emphasis added), could include sales brochures, catalogues, or PBR applications or grants. "[A]ny use of the claimed invention known to any of the inventors at the time the application was filed notwithstanding the date of the use," id. § 1.105(a)(1)(vii) (emphasis added), could refer to uses that would not affect patentability at all. Likewise, information directed to whether a search was conducted and what was searched, id. § 1.105(a)(1)(ii), is not necessarily required by section 1.56. Other requirements for information are also foreseeable under the "reasonably necessary to properly examine or treat the matter" standard. For instance, it might be reasonably necessary for the Office to require an explanation of technical material in a publication, such as one of the inventor's publications, or require the applicant's comments on a recent Federal Circuit opinion and how that opinion affects examination. See, e.g., 65 Fed. Reg. at 54,634. Although this information improves the quality and efficiency of examination it is not necessarily information that an applicant is required to provide under section 1.56. In sum, we think that the Office's interpretation of 37 C.F.R. § 1.105 conforms to the plain language of the regulation.....

The Director is charged with the duty of deciding whether a patent should issue from an application. To perform that duty, the law must be applied to the facts at hand in any application. That the person charged with enforcement of the law, here an examiner, may sometimes disagree with the applicant on the theory or scope of the law to be applied is hardly surprising. So long as the request from the examiner for information is not arbitrary or capricious, the applicant cannot impede the examiner's performance of his duty by refusing to comply with an information requirement which proceeds from the examiner's view of the scope of the law to be applied to the application at hand. To allow such interference would have the effect of forcing the Office to make patentability determinations on insufficient facts and information. Such conduct inefficiently shifts the burden of obtaining information that the applicant is in the best position to most cheaply provide onto the shoulders of the Office and risks the systemic inefficiencies that attend the issue of invalid patents. Examination under such circumstances is neither fair and equitable to the public nor efficient.

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2. This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

Information Disclosure Statement

3. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Election/Restrictions

4. Claim 19-30 and 33-34 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 4/19/05.

5. While any delay in prosecution is regrettable, upon further review and consideration the requirement for the election of species has been withdrawn.

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Therefore the examiner has examined the claims 1-18, 31 and 32 which correspond to the elected invention (I). The applicants traversal of the election of species requirement has been found persuasive, however the traversal of the restriction with respect to the inventions I, II, and III has not been found persuasive for the reasons given in the original restriction and because the applicant has failed to argue each reason for the impropriety of the restriction. Therefore the election is treated as without traverse.

Claim Objections

6. Claims 6-10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim must not depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 6-10 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3,4(2), 4(3), 5(2), 5(3), 11-13,14(12),14(13), 31 and 32 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by the device of "Kiteship1" as

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labeled by the examiner which is from

<http://web.archive.org/web/20031101021201/www.kiteship.com/id9.html>, this piece of art discloses a traction kite (the OutLeader) which was invented at least in part by David Culp, the instant inventor and constitutes a prior use/sale by others.

a. Regarding the stated claims, Kiteship1 discloses that a kite called the Outleader which is a spinnaker replacement was disclosed and/or sold to an Americas Cup (AC) client. This according to the article happened at least before "100 or so sailing days until the Americas Cup in 2003. The AC for 2003 began on Feb. 15, 2003 (for proof of this see at least http://en.wikipedia.org/wiki/America's_Cup, called AC1 by the examiner). Also because of these details it can be seen that 100 days before 2/15/03 would be approximately the beginning of November of 2002. November 2002 being more than one year prior to the present application for Patent (12/16/03). For proof of the structure of the OutLeader kite see also the photos of the www.kiteship.com web pages such as <http://www.kiteship.com/id5.html>. See also the 37 CFR 1.105 Requirement for Information. Also with respect to the limitations that the stresses in the wing are tensile and that they are transferred via the lines to the watercraft or transportation means, this is inherent because the lines are flexible (similar to a rope) and due to physics the only forces that can be transferred via a rope like structure are tensile. With respect to the limitation of sail handling means, inherently by way of calling the OutLeader a sail there must be "sail handling means", these means may be the eyes, pulleys, winches or even a bolt

that the line is tied to. All of the previously listed are "sail handling means" because they all allow for the handling of the sail even if they are static. In other words even if the lines are merely tied to the ship or vessel these points are the means of the limitations.

9. Claims 1-3, 4(2), 4(3), 5(2), 5(3), 11-13, 14(12), 14(13), 16(14(12)) and 16(14(13)), 17(16(14(12))) and 17(16(14(13))), 31 and 32 rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4296704 to Bridge (hereinafter called 704).

a. Re claims 1, 31 and 32, 704 discloses a transportation means (watercraft) 18, with single layer, stable, powerful aerodynamic means capable of flying without surface discontinuity, bridles or rigid structure and with a centerline wingtips and tail corner. All seen at least in figure 1. the statement "capable of flying without surface discontinuity, bridles or rigid structure and with a centerline wingtips and tail corner" is taken as meaning that the kite must have sections without discontinuity (because the applicant's for example is not only one piece, but at least 2 stitched together which gives a discontinuity) as seen at 10, and it can also be seen that 704 discloses that the craft is capable of flight with no bridles and no rigid structure at least in column 3 wherein it is stated in lines 33-41 that lines similar to bridles are optional and also a non-rigid but light plastic is also optional. Also 704 discloses attachment means linking the aerodynamic means to transportation means. The attachment means being 30, 26 and 28 with 20 and 22 being where they meet the vessel 18.

b. Re claim 2, 704 discloses a lightweight 3D wing 10, with a plurality of gores of predetermined geometries as seen at least in figure 1 at numbers 32 and 42. Also as seen in figure 6 the gores may be numbers 242 and 232B. As can be seen in figure 1 and 6, the fabric is curved toward the front and therefore it is considered a "self supporting rolled over leading edge". Also as seen in figure 6 and 1, there is a trailing edge between the lines 228 and 226, and lines 26 and 28 in figure 1, and also a nose near line 230 and 30. There is disclosed a windward surface being the inside and outside surface 242 for example that is outside the craft of figure 6 and number 32 approximately pointing to the outside in figure 1. Also with respect to the limitations that the stresses in the wing are tensile and that they are transferred via the lines to the watercraft or transportation means, this is inherent because the lines are flexible (similar to a rope) and due to physics the only forces that can be transferred via a rope like structure are tensile. 704 discloses at least in figures 1 and 6 that the convexity of the trailing edge increases at least slightly, this is because as the wind blows on the device it will flex and become more and less convex at certain points.

c. Re 4(2) and 5(2), 704 discloses that the lines have 2 ends of which one is affixed to the transportation means and one to the aerodynamic means. Also 704 discloses that there are 3 of these flexible lines that are affixed to specific control points 20 and 22 on the vessel and to the aerodynamic means at unique points on the periphery of the wing.

d. Re claim 11, 704 discloses a watercraft with sail handling means 20 and 22, with single layer, stable, powerful lightweight 3D wing with a centerline wingtips and tail corner. 704 also discloses 3 flying lines (26,28, and 30) of predetermined adjustable length. These lines are "adjustable" inherently at least because they may be tied into knots to lessen their length. The term "adjustable" is functional language and therefore the reference must be capable of being adjusted. With respect to the limitation of sail handling means, inherently by way of calling the device a spinnaker or sail there must be "sail handling means" as seen in 20 and 22, these means may be eyes, pulleys, winches or even a bolt that the line is tied to. All of the previously listed are "sail handling means" because they all allow for the handling of the sail even if they are static (because they hold the sail). In other words even if the lines are merely tied to the ship or vessel these points are the means of the limitations. See also rejection of claims 1,2, 31 and 32 above.

e. Re claim 12, see claims 1,11 and 2 above.

f. Re claim 13, 704 discloses a molded single continuous sheet which defines a large diameter self-supporting roll-over leading edge with trailing edge, nose, inner and outer surfaces. At least as seen in the rejection of claims 1 and 2. Also it is noted that at least for the reason that the applicant's invention is a single continuous sheet, the reference 704 discloses such limitation. It is noted that the applicant's invention is stated as having a plurality of pieces that are sewn together. Also with respect to the limitations that the stresses in the wing

are tensile and that they are transferred via the lines to the watercraft or transportation means, this is inherent because the lines are flexible (similar to a rope) and due to physics the only forces that can be transferred via a rope like structure are tensile. 704 discloses at least in figures 1 and 6 that the convexity of the trailing edge increases at least slightly, this is because as the wind blows on the device it will flex and become more and less convex at certain points.

g. Re claims 14(12) and 14(13), 704 discloses that the 3 lines define 3 axes in relation to the wing and watercraft because it is supported or controlled by these 3 lines in all 3 axes. The wherein clause is also taken as functional language and therefore the present 704 reference must be capable of performing the tasks of the claim, which for example it is capable of being controlled in the manner of the claim if it's lines are independently manipulated in length.

Because these lines are "adjustable" inherently at least because they may be tied into knots to lessen their length.

h. Re 16(14(12)) and 16(14(13)), 704 discloses of at least one variously shaped and sized enclosure of lighter than air gas at least in figures 1-6 and also in column 1 at lines 35-65. These gas bags are taught to allow the device to hold its shape without a breeze and also so that the spinnaker replacement kite floats high above the boat, as taught at least in column 2 at lines 9-17. Also the gas bags 32 can be seen in figure 3.

i. Re 17(16(14(12))) and 17(16(14(13))), 704 discloses that the enclosures of gas are torpedo shaped with a lightweight gas impermeable material attached

to the wings centerline and that the wing is rendered negatively buoyant in air as seen at least in figure 6 at number 232A and also in column 2 at lines 9-22.

j. Re 18(17(16(14(13)))) and 18(17(16(14(12))))), 704 discloses that the wing comprises two conjoined vaults or lobes of material with a projecting angle between them running completely or partly along the centerline as seen at least in figure 1 and 5.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the OutLeader kite of Kiteship1 as applied to claims 1-3, 4(2), 4(3), 5(2), 5(3), 11-13, 14(12), 14(13), 31 and 32 above. Kiteship1 and the OutLeader kite discloses that the wing is 3D, however does not state that the gores are secured by adhesive at the joints and sewn using overlapping seams and zigzag stitching. However the examiner takes official notice that these methods of securing are old and well known in the art of parachutes, sails and kites for the advantage that this is a strong wind tight and reliable seam. Therefore it would have been obvious to one of ordinary skill in the art to have

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applied the teachings of adhesive at the joints and sewing using overlapping seams and zigzag stitching so as to produce a strong wind tight and reliable joint so as to make the kite bigger than one single piece of fabric and also to allow for custom shapes.

12. Claims 16(14(12)), 16(14(13)), 17(16(14(12))), 17(16(14(13))), 18(17(16(14(13))))), 18(17(16(14(12))))), are rejected under 35 U.S.C. 103(a) as being unpatentable over the OutLeader kite of Kiteship1 as applied to claims 1-3, 4(2), 4(3), 5(2), 5(3), 11-13, 14(12), 14(13), 31 and 32 above, and further in view of USPN 4296704 to Bridge (hereinafter called 704).

k. Re 16(14(12)) and 16(14(13)), Kiteship1 does not disclose that the 3D wing has at least one variously shaped and sized enclosure of lighter than air gas, however 704 does teach of this. 704 teaches of at least one variously shaped and sized enclosure of lighter than air gas at least in figures 1-6 and also in column 1 at lines 35-65. These gas bags are taught to allow the device to hold its shape without a breeze and also so that the spinnaker replacement kite floats high above the boat, as taught at least in column 2 at lines 9-17. Also the gas bags 32 can be seen in figure 3. Therefore it would have been obvious to one of ordinary skill in the art to have applied the teachings of 704 into the device of Kiteship1 so as to allow for the device to hold its shape without a breeze and also so that the spinnaker replacement kite floats high above the boat.

l. Re 17(16(14(12)))) and 17(16(14(13))), Kiteship1 does not disclose that the enclosures of gas are torpedo shaped with a lightweight gas impermeable material attached to the centerline. However 704 teaches that the enclosures of

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gas are torpedo shaped with a lightweight gas impermeable material attached to the wings centerline and that the wing is rendered negatively buoyant in air as seen at least in figure 6 at number 232A and also in column 2 at lines 9-22.

m. Re 18(17(16(14(13)))) and 18(17(16(14(12)))), Kiteship1 and the OutLeader kite of Kiteship1 disclose that the wing comprises two conjoined vaults or lobes of material with a projecting angle between them running completely or partly along the centerline.

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over 704 as seen above in claims 1-3, 4(2), 4(3), 5(2), 5(3), 11-13, 14(12), 14(13), 16(14(12)) and 16(14(13)), 17(16(14(12))) and 17(16(14(13))), 31 and 32.

n. Re claim 15, 704 discloses that the wing is 3D, however does not state that the gores are secured by adhesive at the joints and sewn using overlapping seams and zigzag stitching. However the examiner takes official notice that these methods of securing are old and well known in the art of parachutes, sails and kites for the advantage that this is a strong wind tight and reliable seam. Therefore it would have been obvious to one of ordinary skill in the art to have applied the teachings of adhesive at the joints and sewing using overlapping seams and zigzag stitching so as to produce a strong wind tight and reliable joint so as to make the kite bigger than one single piece of fabric and also to allow for custom shapes as seen in the reference at least in the figures.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The art below discloses traction kites.

o. Kite Sails For America's Cup

p. American teams to battle it out,

<http://archives.cnn.com/2002/WORLD/sailing/12/19/lvcup.repechage/>

q. <http://www.kiteship.com/id1.html>

r. <http://www.kiteship.com/id14.html>

s. Kiteship2,

<http://web.archive.org/web/20031101150906/http://www.kiteship.com/id4.html>

t. <http://www.sailinganarchy.com/innerview/2003/daveculp.htm>

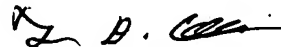
15. This office action has an attached requirement for information under 37 CFR 1.105. A complete reply to this Office Action must include a complete reply to the attached requirement for information. The time period for reply to the attached requirement coincides with the time period for reply to this Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy D. Collins whose telephone number is 571-272-6886. The examiner can normally be reached on M-F, 7:00-3:00, with every other Fri. off.

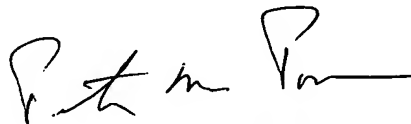
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 571-272-6891. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy D. Collins
Patent Examiner
Art Unit 3643



PETER M. POON
SUPERVISORY PATENT EXAMINER

6/17/05